

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3771

IN THE MATTER OF:

Served May 31, 1991

Issuance of Certificate of)
Authority No. 31 to IRONSIDES)
MEDICAL TRANSPORTATION CORPORATION)

Case No. MP-91-02

Suspension and Investigation of)
Revocation of Certificate of)
Authority No. 31)

Case No. MP-91-22

By Order No. 3600, served January 17, 1991, the Commission adopted new Rules and Regulations effective February 19, 1991. Regulation No. 58 established new insurance requirements. Pursuant to comments filed as a result of Order No. 3600, the Commission revised its certificate of insurance form by Order No. 3623, served March 8, 1991. Order No. 3623, as relevant here, provides that the new form -- and the increased insurance requirement it implements -- would become effective when the carrier requires insurance to receive expanded operating authority.

Ironsides Medical Transportation Corporation (Ironsides) holds Certificate of Public Convenience and Necessity No. 31, issued pursuant to the Compact, 1/ Title II, Article XII, Section 4. On February 1, 1991, an amended Compact 2/ became effective. The amended Compact, Title II, Article XI, Section 6 provides:

6. (a) A person may not engage in transportation subject to this Act unless there is in force a 'Certificate of Authority' issued by the Commission authorizing the person to engage in that transportation.

(b) On the effective date of this Act a person engaged in transportation subject to this Act under an existing 'Certificate of Public Convenience and Necessity' or order issued by the Commission shall be issued a new 'Certificate of Authority' within 120 days after the effective date of this amendment.

(c)(i) Pending issuance of the new Certificate of Authority, the continuance of operations shall be permitted under an existing certificate or order issued by the Commission which will continue in effect on the effective date of this Act.

1/ Public Law 86-794, 74 Stat. 1031, as amended by Public Law 87-767, 76 Stat. 764.

2/ Id. as amended by Public Law 101-505, 104 Stat. 1300.

(ii) The operations described in paragraph (i) of this subsection shall be performed according to the rates, regulations, and practices of the certificate holder on file with the Commission on the effective date of this Act.

The amended Compact, Title II, Article XI, Section 9(b) provides:

A certificate issued by the Commission authorizing irregular-route service shall be coextensive with the Metropolitan District.

Certificate of Public Convenience and Necessity No. 31 issued to Ironsides authorizes only irregular route transportation. Accordingly, Ironsides is entitled to be issued a Certificate of Authority authorizing irregular route transportation coextensive with the Commission's jurisdiction in the Washington Metropolitan Area Transit District. The statutory deadline for issuance of Certificate of Authority No. 31 is June 1, 1991, and Certificate of Public Convenience and Necessity No. 31 will no longer be valid on or after that date.

Ironsides has failed to meet the minimum insurance requirements of Regulation No. 58 prior to the deadline for issuance of expanded operating authority. Accordingly, Certificate of Authority No. 31 will be both issued and suspended effective May 31, 1991, and Certificate of Public Convenience and Necessity No. 31 will stand cancelled in its entirety effective May 31, 1991.

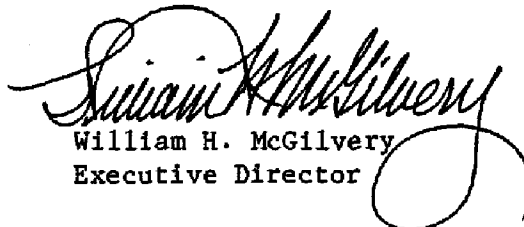
THEREFORE, IT IS ORDERED:

1. That Certificate of Authority No. 31 is hereby issued to Ironsides Medical Transportation Corporation as appended to this order.
2. That Certificate of Authority No. 31 encompasses and supersedes Certificate of Public Convenience and Necessity No. 31.
3. That Certificate of Authority No. 31 is hereby suspended, and Ironsides Medical Transportation Corporation is directed to cease and desist from transportation subject to the Compact, unless otherwise ordered by the Commission.
4. That Case No. MP-91-22 is hereby instituted pursuant to the Compact, Title II, Article XI, Section 10 for the purpose of determining whether Certificate of Authority No. 31 shall be revoked.
5. That Ironsides Medical Transportation Corporation is hereby made a party respondent in Case No. MP-91-22.
6. That Ironsides Medical Transportation Corporation is hereby directed, within 30 days from the date of this order, fully to comply with the provisions of the Compact, Title II, Article XI, Section 7(f) and Commission Regulation No. 58, and is further directed within the

same 30 days to file with the Commission appropriate evidence of insurance or such other evidence, in writing and under oath, as may be deemed pertinent to show good cause why Certificate of Authority No. 31 should not be revoked.

7. That Ironsides Medical Transportation Corporation is hereby provided an opportunity for hearing pursuant to the Compact, Title II, Article XI, Section 10, and is directed to file within 15 days of the date of this order an appropriate motion pursuant to Commission Rule No. 15 if an oral hearing on this matter is desired.

FOR THE COMMISSION:


William H. McGilvery
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

CERTIFICATE OF AUTHORITY

NO. 31

Ironsides Medical Transportation Corporation
8115 Fenton Street
Post Office Box 8593
Silver Spring, Maryland 20850

By Order Nos. 1527 and 3771 of the Washington Metropolitan Area Transit Commission issued March 30, 1976; and May 31, 1991;

WHEREAS, the above-named carrier is entitled to receive authority to transport passengers within the Washington Metropolitan Area Transit District;

THIS CERTIFICATE OF AUTHORITY is hereby issued to the said carrier as evidence of the authority to engage in the for-hire transportation of passengers by motor vehicle; subject, however, to such terms conditions and limitations as are now, or may hereafter be, attached to the exercise of the privilege granted to the said carrier:

IRREGULAR ROUTES, transporting passengers, together with their baggage in the same vehicles as passengers, between points in the Washington Metropolitan Area Transit District;

RESTRICTED TO (1) operations conducted according to the said carrier's applicable tariff on file with the Commission and (2) transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver;

RESTRICTED AGAINST (1) transportation solely within the Commonwealth of Virginia and (2) any passenger transportation for hire on an individual fare paying basis in competition with any existing, scheduled, regular-route, passenger transportation service performed by, or under a contract with, the Federal Government, a signatory to the Compact, a political subdivision of a signatory, or the Washington Metropolitan Area Transit Authority.

THIS CERTIFICATE OF AUTHORITY DOES NOT AUTHORIZE ANY TRANSPORTATION BY ANY PERSON OTHER THAN THE CARRIER NAMED HEREON.

THIS CERTIFICATE OF AUTHORITY IS NOT VALID UNLESS THE CARRIER NAMED HEREON IS IN COMPLIANCE WITH THE INSURANCE REQUIREMENTS OF THE COMMISSION.